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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.      | CONFIRMATION NO. |
|---|-------------|----------------------|--------------------------|------------------|
| 10/780,479  | 02/17/2004  | Matthew Lee Withrow  | TRAF001US0               | 1552             |
| 48746   | 7590        | 12/28/2007           | EXAMINER                 |                  |
| HULSEY IP INTELLECTUAL PROPERTY LAWYERS, P.C.<br>919 Congress Avenue, Suite 919<br>AUSTIN, TX 78701 |             |                      | CHEUNG, MARY DA ZHI WANG |                  |
|   |             | ART UNIT             | PAPER NUMBER             |                  |
|   |             | 3694                 |                          |                  |
|   |             | MAIL DATE            |                          | DELIVERY MODE    |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

|                              |                         |                      |
|------------------------------|-------------------------|----------------------|
| <b>Office Action Summary</b> | <b>Application No.</b>  | <b>Applicant(s)</b>  |
|                              | 10/780,479              | WITHROW, MATTHEW LEE |
|                              | Examiner<br>Mary Cheung | Art Unit<br>3694     |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 17 February 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-26 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-26 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

|  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ .  | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

### ***Status of the Claims***

1. This action is in response to the application filed on February 17, 2004. Claims 1-26 are pending.

### ***Claim Objections***

2. Claims 3 and 16 are objected to because of the following informalities: the phrase "information protocols" should be "information protocol" in order to be consistent with the independent claims. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 11-12 and 24-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 11-12 and 24-25 recite the limitation "the traffic citation". There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section

351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-3, 5, 9-10, 13-16, 18, 22-23 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by MacKay, US 2003/0083928 A1.

As to claim 1, MacKay teaches a method for settling a parking citation, comprising the steps of (abstract):

- providing an on-line parking citation interface to a user (¶ 16-17);
- connecting said on-line parking citation interface to a receiving application for receiving a predetermined minimal set of information relating to a parking citation (¶ 17; *"a predetermined minimal set of information" corresponds to the information entered by the user in MacKay's teaching, such as citation number of the parking ticket*);
- connecting said receiving application to a polling application for interfacing with a parking citation issuing authority (¶ 19 and Fig. 1; *"a parking citation issuing authority" corresponds to the central processor in MacKay's teaching*);
- communicating said predetermined minimal set of information with said parking citation issuing authority in an information protocol usable by said parking citation issuing authority (¶ 19 and Fig. 1);
- identifying a parking citation from said parking citation issuing authority associated with said minimal set of information (¶ 20); and
- electronically transferring funds at the direction of the user from a predetermined electronic funds source to an electronic account associated

with said parking citation issuing authority for settling said parking citation (¶ 18-19).

As to claim 2, the step of directing settlement instructions from the user to a financial institution associated with said electronic funds source for processing approval to electronically transfer funds from said predetermined electronic funds source to said electronic account associated with said parking citation issuing authority are taught by MacKay as the user uses credit card or debit card for making the payment of the parking citation, the receipt of payment is issued to the user, and the record of payment data is forwarded to the central processor (¶ 18-19).

As to claim 3, MacKay further teaches selecting said information protocols from a set of information protocols associated with said polling application (¶ 17-18, 20).

As to claim 5, MacKay further teaches enabling a user to perform credit card processing authorization of credit and debit cards (¶ 16, 18).

As to claim 9, MacKay teaches enabling a user the ability to perform no unwanted trips to the parking or municipal office (¶ 20).

As to claim 10, MacKay teaches enabling a user to perform a settlement transaction without the use of a payment envelope (¶ 20).

As to claim 13, MacKay teaches enabling a user to interface to existing parking management software associated with the issuing authority (¶ 16-18).

Claims 14-16, 18, 22-23 and 26 are in parallel with the limitations in claims 1-3, 5, 9-10 and 13; thus, they are rejected on the same basis.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 4, 7-8, 12, 17, 20-21 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacKay, US 2003/0083928 A1 in view of Official Notice.

As to claim 4, MacKay does not specifically teach permitting the user to unsuccessfully attempt said step of electronically transferring funds not more than a predetermined number of times. To limit the number of times for permitting a user to attempt for unsuccessful actions (i.e. login) is well known in the art and Official Notice is taken for this limitation. It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow MacKay's teaching to include the feature of permitting the user to unsuccessfully attempt of electronically transferring funds not more than a predetermined number of times for better preventing unauthorized usage of the funds.

As to claim 7, MacKay teaches enabling a user to receive a printed receipt of the transaction (¶18). MacKay does not specifically teach enabling a user to receive an email settlement receipt and confirmation number. Send confirmation through email is well known in the art and Official Notice is taken for the limitation. It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow

MacKay's teaching to include the feature of sending settlement receipt and confirmation number through email for allowing the user conveniently obtain the settlement result.

As to claim 8, MacKay does not specifically teach enabling a user to check the status of a ticket on-line. Check status of information on-line is well known in the art and Official Notice is taken for the limitation. It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow MacKay's teaching to include the feature of enabling a user to check the status of a ticket on-line for fast and easy obtain the most updated status of the ticket.

As to claim 12, MacKay teaches enabling a user to interface on-line for performing parking citation settlement transactions as discussed in claim 1 above MacKay does not specifically teach enabling a user to perform a toll-free call settling the traffic citation settlement transaction. A toll-free call for settling transactions is well known in the art and Official Notice is taken for the limitation. It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow MacKay's teaching to include the feature of enabling a user to perform a toll-free call settling the traffic citation settlement transaction for providing the user alternatively method for conveniently settling the citation.

Claims 17, 20-21 and 25 are in parallel with the limitations in claims 1-3, 5, 9-10 and 13; thus, they are rejected on the same basis.

9. Claims 6 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacKay, US 2003/0083928 A1 in view of Admasu et al., US 2002/0032601 A1.

As to claims 6 and 19, MacKay does not specifically teach enabling a user to perform setup of merchant accounts. However, Admasu teaches this matter (¶ 25-27, 32). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the user in MacKay's teaching to include the feature of setup merchant accounts for allowing the user conveniently pay for dues.

10. Claims 11 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacKay, US 2003/0083928 A1 in view of Dutta et al., US 2003/0055701 A1.

As to claims 11 and 24, MacKay teaches enabling a user to interface on-line for performing parking citation settlement transactions as discussed in claim 1 above. MacKay does not specifically teach enabling a user to interface a web portal for performing the traffic citation settlement transaction. However, Dutta teaches this matter (abstract and ¶ 44). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the user in MacKay's teaching to enable to a web portal for performing the traffic citation settlement transaction as taught by Dutta for allowing the user more remotely settling the citation.

*Inquire*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (571)-272-6705. The examiner can normally be reached on Monday – Thursday from 10:00 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (571) 272-6712.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

The fax phone number for the organization where this application or proceedings is assigned are as follows:

(571) 273-8300      (Official Communications; including After Final Communications labeled "BOX AF")  
(571) 273-6705      (Draft Communications)

Mary Cheung  
December 11, 2007



**MARY D. CHEUNG  
PRIMARY EXAMINER**